

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

CLYDE SCOFIELD, et al.,)
|
Plaintiffs,)
|
v.)
|
CITY OF FLORALA, ALABAMA,)
et al.,)
|
Defendants.)

Case No. 2:07-cv-579-MEF

MOTION FOR ENTRY OF HIPAA ORDER

Defendants the City of Florala, Alabama, and Neil Pittman move for a HIPAA order regarding plaintiff Robert Hobby. In support of this motion, the defendants state as follows.

1. Robert Hobby was allegedly injured during the incident made the basis of this action.
2. His physical condition may be relevant to this action.
3. Counsel for the plaintiffs consents to this motion.

s/ James H. Pike

James H. Pike (PIK003)
Attorney for Defendants
The City of Florala, Alabama and Neil
Pittman

OF COUNSEL:

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CERTIFICATE OF SERVICE

I, James H. Pike, certify that on December 16, 2007, I electronically served a copy of this document upon:

Steve Blair
P.O. Box 310843
Enterprise, Alabama 36331

Charles M. Brunson
JARED & BRUNSON
P.O. Box 358
Elba, Alabama 36323

s/ James H. Pike

James H. Pike

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HIPAA PROTECTIVE ORDER

Counsel for all parties are hereby granted the right, upon compliance with the applicable provisions of the Federal Rules of Civil Procedure, to obtain from all health care providers and health plans all information relating to the past, present, or future physical condition of Robert Hobby (date of birth XX-XX-1931, Social Security number XXX-XX-5044), as well as information relating to the provision of health care to such individual and payment for the provision of such health care. This Protective Order is intended to help the parties, and third parties who receive subpoenas from the parties, to comply with the requirements of the Federal HIPAA Privacy Rules, 45 C.F.R. § 164.512(e), as a "Qualified Protective Order" under that regulation. This Protective Order expressly authorizes disclosure of "Protected Health Information", as defined in the Privacy Rules, by the parties and third parties to counsel for the parties, subject to timely objection under the notice provisions Federal Rules of Civil Procedure. The parties and counsel for the parties may use and disclose such information for the purpose of this

proceeding only and are to return or destroy such information (including all copies made) at the end of this proceeding.

This the _____ day of _____, 2007.

Judge